

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

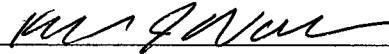
THE OFFICE OF THE COMMISSIONER OF)
BASEBALL, an unincorporated association)
doing business as Major League Baseball, THE)
NATIONAL BASKETBALL ASSOCIATION,)
a joint venture, THE NATIONAL) C.A. No. 09-538-UNA
COLLEGIATE ATHLETIC ASSOCIATION,)
an unincorporated association, THE)
NATIONAL FOOTBALL LEAGUE, an)
unincorporated association, and THE)
NATIONAL HOCKEY LEAGUE, an)
unincorporated association,)
Plaintiffs,)
v.)
JACK A. MARKELL, Governor of the State of)
Delaware, and WAYNE LEMONS, Director of)
the Delaware State Lottery Office,)
Defendants.)

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, plaintiffs the Office of the Commissioner of Baseball, the National Basketball Association, the National Collegiate Athletic Association, the National Football League and the National Hockey League ("Plaintiffs") respectfully move this Court for entry of an order in the form attached hereto preliminarily enjoining defendants Jack A. Markell, Governor of the State of Delaware, and Wayne Lemons, Director of the Delaware State Lottery Office ("Defendants"), pending a final adjudication of this action, from commencing, instituting, operating and maintaining a proposed "sports lottery" to the extent that such lottery permits (i) single-game sports betting, (ii) betting on sports other than the professional football, or (iii) any other sports betting scheme that was not conducted by the State of Delaware in 1976.

The grounds for this motion are set forth in (i) Plaintiffs' Opening Brief in Support of Their Motion for Preliminary Injunction and supporting declarations, filed contemporaneously herewith, and (ii) Plaintiffs' Reply Brief in Further Support of Their Motion for Preliminary Injunction, to be filed in accordance with a schedule agreed to by the parties and/or ordered by the Court.

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League and The National Hockey League*

July 28, 2009

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Delaware, and WAYNE LEMONS, Director of)
the Delaware State Lottery Office,)
)
Defendants.)

ORDER

AND NOW, this ____ day of _____, 2009, having considered Plaintiffs' Motion for Preliminary Injunction, Plaintiffs' Motion is hereby GRANTED, and Defendants are hereby ENJOINED from commencing, instituting, operating and maintaining a proposed "sports lottery" to the extent that such lottery permits (i) single-game sports betting, (ii) betting on sports other than the professional football, or (iii) any other sports betting scheme that was not conducted by the State of Delaware in 1976.

IT IS SO ORDERED.

Judge, U.S.D.C. for the District of Delaware